

REMARKS

Applicants request reconsideration and allowance in view of the following remarks.
Claims 1-28, 55-57, and 54-75 are pending, with claims 1, 15, 55, and 75 being independent.
Claims 1, 15-28, 55, 67-69, 73, and 74 have been amended and claim 75 has been added.
Applicants submit that no new matter has been introduced.

§ 101 Rejection

Claims 15-28, 67-69, 73, and 74 were rejected as being directed to non-statutory subject matter. Applicants have amended claims 15-28, 67-69, 73, and 74 and submit that the amendments to claims 15-28, 67-69, 73, and 74 address all of the issues raised in the Office action. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

§ 103 Rejection

Claims 1-28, 55-57, and 64-74 were rejected as being unpatentable over Blumenau (U.S. Patent No. 6,108,637) in view of Guyot (U.S. Patent No. 6,119,098) and Cezar (U.S. Patent No. 6,128,651). Applicants respectfully request reconsideration and withdrawal of this rejection because neither Blumenau, Guyot, Cezar, nor any proper combination of the references, describe or suggest the subject matter of amended independent claims 1, 15, and 55, as discussed below.

As amended, independent claim 1 recites, among other things, determining an amount of time to be used in later displaying advertisements on a viewer's associated computer system based on the viewer's monitored interactions and, based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system. Independent claim 1 also recites that the varied amount of display time is different than an amount of display time for which the later displayed advertisement is to be displayed on another viewer's associated computer system.

Applicants submit that neither Blumenau, Guyot, Cezar, nor any proper combination of the references, describe or suggest varying an amount of display time for which a later displayed advertisement is to be displayed on a viewer's associated computer system based on an amount

of time determined based on the viewer's monitored interactions, the varied amount of display time being different than an amount of display time for which the later displayed advertisement is to be displayed on another viewer's associated computer system, as recited by independent claim 1.

Specifically, as indicated in the Office Action, "the combination of Blumenau and Guyot does not expressly teach the process of varying an amount of display time." See Office Action of November 8, 2007 at page 4. The Office Action relies on Cezar for this feature.

However, at most, Cezar describes varying the display time of an advertisement for all viewers of the advertisement. In other words, Cezar, at most, describes the display time being the same for all viewers, even if the display time is variable.

Specifically, Cezar is directed to a system configured to provide the display of an advertisement for a guaranteed, minimum timed interval. See Cezar at Abstract. To that end, each advertisement is associated with an individual timer that is used to control the display time of that advertisement to all users. See Cezar at col. 2, lines 34-53. While an advertiser can adjust the time of a given timer, the associated advertisement is displayed on all of the viewers' computer systems for the same predefined time. As such, Cezar does not describe or suggest that the varied amount of display time is different than an amount of display time for which the later displayed advertisement is to be displayed on another viewer's associated computer system, as recited by independent claim 1.

Accordingly, for at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of amended independent claim 1, along with claims 2-14, 64-66, 71 and 72 that depend therefrom.

Independent claim 15 recites a computer program for presenting advertising to viewers in a computer network environment in a manner corresponding to that of independent claim 1. Accordingly, for at least the reasons described above with respect to independent claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 15, along with claims 16-28, 67-69, 73 and 74 that depend therefrom.

Further, independent claim 55 recites a method of optimizing a click-through rate of a user viewing content in a computer network environment that includes, among other things, varying an amount of display time for which an advertisement is to be displayed based on a

user's activity with respect to the user's computer, the varied amount of display time being different than an amount of display time for which the later displayed advertisement is to be displayed on another viewer's associated computer system. Accordingly, for at least the reasons described above with respect to independent claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 55, along with claims 56, 57, and 70 that depend therefrom.

New Claim

New independent claim 75 recites, among other things, adjusting a general timing attribute for an advertisement based on a determined amount of time to display advertisements to a particular user, associating the adjusted general timing attribute with the advertisement to be displayed to the particular user as a user-specific timing attribute that indicates the amount of time to display the advertisement to the particular user, and causing a display of the advertisement to the particular user on the computer system used by the particular user such that the advertisement is displayed for the amount of time indicated by the user-specific timing attribute. Applicants submit that neither Blumenau, Guyot, Cezar, nor any proper combination of the references, describe or suggest at least these features.

Specifically, Blumenau, Guyot, and Cezar do not describe or suggest associating, with an advertisement, a user-specific timing attribute that indicates an amount of time to display the advertisement to a particular user. At most, one or more of Blumenau, Guyot, and Cezar describes setting a general timing attribute that indicates an amount of time to display the advertisement to all users.

Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply.

Applicant : Harry Morris et al.
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Applicants submit that all claims are in condition for allowance.

Pursuant to 37 CFR §1.136, Applicants hereby petition that the period for response to the non-final Office action dated November 8, 2007 be extended for one month to and including March 8, 2008. March 8, 2008 was a Saturday.

The fee in the amount of \$330.00 in payment of the excess claims fee (\$210) and the one-month extension of time fee (\$120) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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